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RCE

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/829,073
	Filing Date	9 APRIL 2001
	First Named Inventor	DONG et al.
	Art Unit	1641
	Examiner Name	L. COOK
	Attorney Docket Number	113019.179 US2

Stamp: OIPE, DEC 18 2003, PATENT & TRADEMARK OFFICE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other Request for Corrected Filing Receipt

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 08-0219

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Maria L. Maebius	Registration No. (Attorney/Agent)	42,967
Signature	<i>Maria L. Maebius</i>	Date	18 December 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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December 18, 2003

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MAIL STOP RCE

Commissioner for Patents
Washington, DC 20031

Re: Applicants: Ke-Wen DONG, et al.
Serial No.: 09/829,073
Filed: 9 APRIL 2001
Entitled: *HUMAN ZONA PELLUCIDA PROTEIN 3 AND USES THEREOF*
Our Ref: 113019-179 US2


Dear Sir:

Enclosed herewith for appropriate action by the United States Patent and Trademark Office are the following documents:

1. Transmittal Letter and Fee Transmittal;
2. Request for Continued Examination (RCE) Transmittal;
3. Amendment Accompanying Request for Continued Examination;
4. Supplemental Information Disclosure Statement w/Form PTO-1449;
5. Request for Corrected Filing Receipt and Request to Submit An Application Data Sheet;
6. Exhibit A – Copy of Original Filing Receipt w/Corrections in Red;
7. Exhibit B – Application Data Sheet; and
8. Postcard evidencing the same.

The Commissioner is hereby authorized to charge the RCE fee under 37 C.F.R. § 1.17(e) of \$385.00 to Deposit Account No. 08-0219. The Commissioner is also authorized to charge any additional necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the present application.

Respectfully submitted,


Reg. No 53,212
for

Maria L. Maebius
Registration No. 42,967

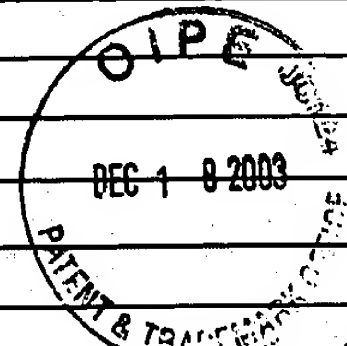
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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 385.00**Complete if Known**

Application Number	09/829,073
Filing Date	9 APRIL 2001
First Named Inventor	DONG et al.
Examiner Name	L. COOK
Art Unit	1641
Attorney Docket No.	113019.179 US2

**METHOD OF PAYMENT** (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☒ Other ☐ None
☒ Deposit Account:Deposit Account Number
Deposit Account Name

08-0219

HALE AND DORR LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) .00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		=	
Independent Claims		-3** =		X		=	
Multiple Dependent						=	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) .00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	385.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 385.00**SUBMITTED BY**

Name (Print/Type)

Maria L. Maebius

Registration No.
(Attorney/Agent)

42,967

(Complete (if applicable))

Telephone 202/942-8452

Signature

Belinda M. for Reg. No. 53,212 for M. Maebius

Date

12/18/03

WARNING: Information on this form may be made public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 113019.179 US2



PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Attn: Office of Initial
Ke-Wen DONG et al. : Patent Examination
Serial No. 09/829,073 :
Filed: April 9, 2001 : Group Art Unit: 1641
For: HUMAN ZONA PELLUCIDA PROTEIN 3 AND USES THEREOF

**REQUEST FOR CORRECTED FILING RECEIPT AND
REQUEST TO SUBMIT AN APPLICATION DATA SHEET**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

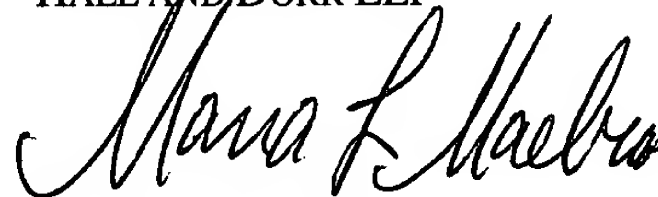
Submitted herewith as Exhibit A is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. The filing receipt should reflect that this application is a CIP of 09/252,828, filed 02/19/1999, which claims the benefit of 60/075,079, filed 02/19/1998. Also, the Attorney Docket Number should be 113019.179US2. Please add this information as indicated in red on the attached copy of the Filing Receipt.

Pursuant to 37 C.F.R. § 1.76 (a), Applicants are also submitting herewith as Exhibit B, an Application Data Sheet, which reflects this clarification to the Domestic Priority Information and change in Attorney Docket Number. Applicants do hereby respectfully request the Examiner accept this Application Data Sheet as part of the application. It is also requested that a corrected filing receipt be issued.

Applicants believe that no fee is required with regard to this Request. However, if there are any fees due in connection with the filing of the Request, please charge the fees to Deposit Account 08-0219. Also, please credit any fees overpaid to the same Deposit Account.

Respectfully submitted,

HALE AND DORR LLP



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Date: 18 December 2003